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DT04 Rec'd PCT/PTO 08 JUL 2004

APPENDIX C

(Statements Under 37 C.F.R. §§ 1.821 and 1.825)

(Serial No. not yet assigned)

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Van Gilst et al.

Serial No.: To be assigned

Filed: July 8, 2004

For: USE OF ERYTHROPOIETIN FOR
THE PREVENTIVE OR CURATIVE
TREATMENT OF CARDIAC FAILURE

Examiner: To be assigned

Group Art Unit: To be assigned

Attorney Docket No.: 2578-6485US

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STATEMENT UNDER 37 C.F.R. §§ 1.821 THROUGH 1.825

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, G. Scott Dorland, Ph.D., an attorney registered to practice before the United States Patent & Trademark Office and attorney of record for this application, state that:

1. The enclosed paper copy of the SEQUENCE LISTING and the enclosed copy of the SEQUENCE LISTING in computer readable form (CRF) have been prepared to comply with the requirements of 37 C.F.R. §§ 1.821 through 1.825.

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2. The enclosed CRF copy of the SEQUENCE LISTING is believed to be identical to the paper copy of the SEQUENCE LISTING.

Respectfully submitted,



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